

Notice of Allowability

Application No.

10/800,400

Examiner

Russell Frejd

Applicant(s)

HAMANN, JENS

Art Unit

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment received 21 November 2006.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Russell Frejd
RUSSELL FREJD
PRIMARY EXAMINER

In re Application of: Hamann

Allowance of Application # 10/800,400

1. The following communication is in response to Applicant's amendment received on 21-November-2006. Claims 1-5 are pending in the application. Claims 6-10 were cancelled by this amendment.

Examiner's Amendment

2. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

2.1 In the Specification:

page 2 In Section 0005, line 4 Change "foe" to --for--.

2.2 In the Claims:

claim 5 line 18 Change "in form" to --in the form--.

Reasons for Allowance

3. The following is an Examiner's Statement of Reasons for the indication of allowable subject matter.

In re Application of: Hamann

3.1 The instant application is directed to a non-obvious improvement over the information described in the prior art, the most relevant of the prior art of record being US Patent Application 2002/0193972, by Kudo et al., which discloses a workshop facility designing and operating method which simulates a quasi-production activity of a virtual workshop in order to verify a production state, wherein a remotely monitored actual production result is compared to the simulated verification, and results in the verification of the workshop deployment such that a new set-up of a production line or change in process step of the existing line can be carried out efficiently.

3.2 The improvement comprises a visualization system for a machine-tool or production machine; wherein a simulated desired response of the machine-tool or production machine defines an amplitude-frequency curve of the machine-tool or production machine, the curve being based upon simulation parameters consisting of a rotation speed, a position control, and a travel path of a workpiece; wherein control parameters are determined based on the simulation parameters and used for controlling the machine-tool or production machine; and the desired response and an actual measured response of the machine-tool or production machine are simultaneously compared side-by-side on a single display in the form of amplitude-frequency curves. These patentable distinctions are included in each of the independent claims, nos. 1 and 5.

3.3 For at least these reasons, the art of record, either individually or in combination, fails to teach, suggest, or render obvious the useful, concrete and tangible <visualization system for a machine-tool or production machine> having the corresponding structure which is disclosed in the specification and equivalents thereof at least at page 6, line 4 through page 9, line 3, and

In re Application of: Hamann

Figures 1-2. In view of the foregoing, the claims of the present application are found to be patentable over the prior art.

Response Guidelines

4. Any comments considered necessary by applicant **MUST** be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should clearly be labeled "Comments on Statement of Reasons for Allowance".

4.1 Any response to the Examiner in regard to this allowance should be

directed to: Russell Frejd, telephone number (571) 272-3779, Monday-Friday from 0530 to 1400 ET, or the examiner's supervisor, Kamini Shah, telephone number (571) 272-2279. Inquires of a general nature or relating to the status of this application should be directed to the TC2100 Group Receptionist (571) 272-2100.

mailed to: Commissioner of Patents and Trademarks
P.O. Box 1450, Alexandria, VA 22313-1450

or faxed to: (571) 273-8300

Hand-delivered responses should be brought to the Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA, 22314.

Date: 4-December-2006



**RUSSELL FREJD
PRIMARY EXAMINER**